

Docket No.

001301.00354

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Burke T. BARRETT et al.

SERIAL NO: 10/661,641

GAU: Unassigned

FILED: September 15, 2003

EXAMINER: Unassigned

FOR: TREATMENT OF NEUROPSYCHIATRIC DISORDERS BY NEAR-DIAPHRAGMATIC NERVE STIMULATION

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

PATENT & TRADEMARK OFFICE  
COMMISSIONER FOR PATENTS  
P. O. BOX 1450  
ALEXANDRIA, VA 22313-1450

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.

A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

Attached is a copy of applicant's pending application(s) or issued patent(s) which may be related to the present application. These documents are listed on form PTO-1449, also attached.

A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

Each item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this statement.

No item of information contained in this information disclosure statement was cited for the first time in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

This Information Disclosure Statement is being filed within three months of the filing date of the subject patent application.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits.

PETITION

Applicant(s) hereby request consideration of the attached information. A check is attached in the amount of the Petition fee required under 37 CFR §1.17(i)(1).

DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 23-2185. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

BLANK ROME LLP



Donald R. Greene  
Attorney of Record  
Registration No. 22,470



27557

PATENT TRADEMARK OFFICE

Date: December 15, 2003

08/01

ATTY. DOCKET NO.  
001301.00354SERIAL NO.  
10/661,641

APPLICANT Burke T. BARRETT et al.

FILING DATE  
September 15, 2003GROUP  
Unassigned

## U.S. PATENT DOCUMENTS

| EXAMINER'S INITIALS | DOC. NUMBER | DATE     | NAME            | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-------------|----------|-----------------|-------|-----------|----------------------------|
| AA                  | 4,702,254   | 10/27/87 | Zabara          |       |           |                            |
| AB                  | 4,867,164   | 09/19/89 | Zabara          |       |           |                            |
| AC                  | 5,025,807   | 06/25/91 | Zabara          |       |           |                            |
| AD                  | 5,299,569   | 04/05/94 | Wernicke et al. |       |           |                            |
| AE                  |             |          |                 |       |           |                            |
| AF                  |             |          |                 |       |           |                            |
| AG                  |             |          |                 |       |           |                            |
| AH                  |             |          |                 |       |           |                            |
| AI                  |             |          |                 |       |           |                            |
| AJ                  |             |          |                 |       |           |                            |
| AK                  |             |          |                 |       |           |                            |
| AL                  |             |          |                 |       |           |                            |
| AM                  |             |          |                 |       |           |                            |
| AN                  |             |          |                 |       |           |                            |

## FOREIGN PATENT DOCUMENTS

|  |    | DOC. NUMBER | DATE | COUNTRY | TRANSLATION<br>YES       | NO                       |
|--|----|-------------|------|---------|--------------------------|--------------------------|
|  | AO |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AP |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AQ |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AR |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AS |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AT |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AU |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |
|  | AV |             |      |         | <input type="checkbox"/> | <input type="checkbox"/> |

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

|    |  |
|----|--|
| AW | Lahmeyer et al., "Biologic Markers in Borderline Personality Disorder: A Review," <i>J. Clin. Psych.</i> (1989) 50(6):217-225. |
| AX | Rush et al., "A Journal of Psychiatric Neuroscience," <i>Biological Psychiatry</i> , February, 2000.                           |
| AY |  |
| AZ |  |

Examiner

Date Considered

\*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.